

REMARKS

By this amendment, Applicants have amended the claims to more clearly define their invention. In particular, claim 8 has been amended to be independent form by including therein all of the limitations previously recited in claim 3. Accordingly, claim 3 has been canceled without prejudice or disclaimer and claims 4, 11 and 31 amended to depend from claim 8. Claims 6, 8 and 29 have been amended to recite that the contact plate is an electrically conductive contact plate. See, page 2, lines 18-20. Claims 6 and 29 have also been amended to include therein the limitation previously recited in dependent claim 8. Claims 31, 43 and 44 have been amended to eliminate the antecedent basis problem alleged by the Examiner in the Office Action.

In view of the foregoing amendments to claims 31, 43 and 44, it is submitted these claims clearly comply with the requirements of 35 U.S.C. 112, second paragraph. Therefore, reconsideration and withdrawal of the rejection of the claims under 35 U.S.C. 112, second paragraph, are requested.

Claims 3, 4, 6, 11, 12, 29, 37, 38, 40 and 41 stand rejected under 35 U.S.C. 102(b) as allegedly being anticipated by U.S. Patent No. 4,884,683 to Ford. Applicants traverse this rejection and request reconsideration thereof.

The patent to Ford relates to a bottle carrier, i.e., a bottle tote for temporary storage and transport of empty beverage containers. The Ford patent does not relate to a device for receiving PTC elements in a heating device.

Ford shows drawers in the form of boxes or tracks with sidewalls, dividers 58 and a bottom (not explicitly designated or shown, but necessarily provided)

formed as one-piece plastic moldings (column 4, line 13). Accordingly, Ford does not show a device with a frame and a contact plate (certainly not an electrically conductive contact plate). Ford certainly does not disclose a frame and contact plate that are separate parts and not one piece though attached to one in another in some manner.

The present invention includes a frame, which is a closed material construction, e.g., made of bars, enclosing or surrounding an opening. Ford does not show such a frame.

Moreover, a device for receiving PTC-elements is not a device which may, beside other things like bottles, receive PTC-elements, but is a device which is provided and designed for receiving PTC-elements. Ford does not show such a device.

Finally, clearly the Ford patent does not disclose a contact plate, certainly not an electrically conductive contact plate, that projects past the frame at least one end of the frame.

For the foregoing reasons, the presently claimed invention is not anticipated by nor obvious over Ford.

In view of the foregoing amendments and remarks, favorable reconsideration and allowance of all of the claims now in the application are requested.

Please charge any shortage in the fees due in connection with the filing of this paper, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit

Account No. 01-2135 (Case: 321.43756X00), and please credit any excess fees to such deposit account.

Respectfully submitted,

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